(37)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION (C) NO.5657 OF 2006

PETITIONER	:	Sahakari Vipnan Sanstha Marayadit, through its : Bisesar Ram, S/o. Boharan Ram, Aged about 59 years, Assistant Manager, Sahakari Vipnan Sanstha Marayadit, Podi, Uproda, Katghora, District Korba (CG).
	Vs.	
RESPONDENTS	1.	State of Chhattisgarh Through the Secretary, Department of Food & Civil Supplies, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.
	2.	Collector, Korba (CG).
	3.	District Food Officer, Korba (CG).

Present : Shri V.R. Tiwari, learned counsel for the petitioner.
Shri Utkarsh Verma, learned Dy. G.A. for the respondents.

ORAL ORDER

(Passed on 9th November, 2006)

The authorization issued in favour of the petitioner-society to run fair price shops, it is alleged, has been suspended pending enquiry on certain alleged grounds. In this writ petition, the petitioner has sought for a direction to revoke the order of suspension and to allow the petitioner-society to continue its operation of fair price shops in Bairavthal & Madwa Doda.

(2) In the first place, it needs to be noticed that the Registry ought not to have registered this writ petition because the petitioner has not produced the suspension order nor he has sought for dispensation of production of the impugned order. Be that as it may, the power of the Collector, Korba, the second respondent herein, to suspend the

authorization pending enquiry on the alleged allegations cannot be doubted. The argument of the learned counsel for the petitioner-society is that the second respondent before passing the suspension order did not consider the statement of objections filed by the petitioner in response to the show-cause notice issued to it. This contention cannot be appreciated at all in the absence of impugned order. Be that as it may, the second respondent is not expected to give reasons in support of the suspension order. The objections said to have been filed by the petitioners are required to be considered by the second respondent when he proceeds to pass appropriate final order after conducting the enquiry and that stage is not yet reached. Looking from any angle, there is no merit in this writ petition and it is accordingly dismissed. No costs.

Sd/-
Chief Justice